

WARSHAW  
BURSTEIN

ALAN M. POLLACK  
PARTNER

DIRECT DIAL: 212-984-7794  
EMAIL: apollack@wbny.com

WARSHAW BURSTEIN, LLP  
575 Lexington Avenue  
New York, NY 10022  
(212) 984-7700  
[www.wbny.com](http://www.wbny.com)

June 14, 2024

**VIA ECF**

The Honorable Valerie Figueredo  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al.,***  
**1:21-cv-00761-LGS (S.D.N.Y.)**

Dear Judge Figueredo:

We write on behalf of Plaintiff Harrington Global Opportunity Fund, Limited (“Harrington”) in the above-captioned matter. Pursuant to the Protective Order, ECF No. 111, we write to request approval to file under seal, and publicly file redacted, certain portions of a letter and an appended exhibit to be filed by Harrington opposing Defendant CIBC World Markets, Inc.’s (“CIBC”) motion for a protective order.

The letter contains the name of a third-party client that CIBC disclosed in discovery and that may be relevant to Harrington’s spoofing allegations. The exhibit includes correspondence between the parties in which this client is referenced by name.

The Protective Order provides that the parties “may designate as confidential for protection under this Protective Order, in whole or in part, any document, information, or material that constitutes or includes, in whole or in part, confidential or proprietary information or trade secrets of the Party or a Third Party to whom the Party reasonably and in good faith believes it owes an obligation of confidentiality with respect to such document, information, or material.” CIBC has designated the identity of this third party as Confidential Discovery. Thus, Harrington seeks to file under seal references to the third party in the letter and exhibit.

Pursuant to Your Honor’s Individual Rules and Practices, Harrington is publicly filing its letter and exhibit with proposed redactions and electronically filing under seal a copy of the unredacted documents with the proposed redactions highlighted.

## Warshaw Burstein, LLP

Hon. Valerie Figueredo  
June 14, 2024  
Page 2 of 2

Finally, the Appendix below lists the parties and their counsel of record who should have access to the sealed documents.

### MEMO ENDORSED



HON. VALERIE FIGUEREDO  
UNITED STATES MAGISTRATE JUDGE  
DATED: June 17, 2024

The sealing request herein is granted in accordance with the Protective Order (ECF No. 111). The Clerk of Court is directed to maintain the viewing restrictions on ECF No. 317. The Clerk of Court is also respectfully directed to terminate the Motions at ECF Nos. 312 and 319.

Respectfully submitted,

WARSHAW BURSTEIN LLP

By: /s/ Alan M. Pollack

Alan M. Pollack  
Felicia S. Ennis  
Thomas Filardo  
Leron Thumim  
Meghan Hallinan  
575 Lexington Avenue, 7th Floor  
New York, New York 10022  
Tel.: (212) 984-7700  
apollack@wbny.com  
fennis@wbny.com  
tfilardo@wbny.com  
lthumim@wbny.com  
mhallinan@wbny.com

CHRISTIAN ATTAR

James Wes Christian

Ardalan Attar

2302 Fannin, Suite 205

Houston, Texas 77002

Tel.: (713) 659-7617

jchristian@christianattarlaw.com

aattar@christianattarlaw.com

HOLWELL SHUSTER & GOLDBERG LLP

RICHARD J. HOLWELL

GREGORY DUBINSKY

ANDREW C. INDORF

ADITI SHAH

425 LEXINGTON AVENUE

NEW YORK, NY 10017

TEL.: (646) 837-5151

RHOLWELL@HSGLLP.COM

GDUBINSKY@HSGLLP.COM

MGURGEL@HSGLLP.COM AINDORF@HSGLLP.COM

ASHAH@HSGLLP.COM

Appendix

The following parties and attorneys of record should have access to the sealed document:

**Plaintiff Harrington Global Opportunity Fund, Limited**

HOLWELL SHUSTER & GOLDBERG LLP

Richard J. Holwell  
Gregory Dubinsky  
Matthew Gurgel  
Andrew C. Indorf  
Aditi Shah

WARSHAW BURSTEIN LLP

Alan M. Pollack  
Felicia S. Ennis  
Thomas Filardo  
Leron Thumim  
Matthew A. Marcucci

CHRISTIAN ATTAR

James Wes Christian  
Ardalan Attar

**Defendants BofA Securities, Inc. and Merrill Lynch Canada, Inc.**

O'MELVENY & MYERS LLP

Abby F. Rudzin  
William J. Martin

**Defendants TD Securities, Inc. and TD Securities (USA) LLC**

KING & SPALDING LLP

Jamie S. Dycus  
David Lesser  
Jenny Pelaez

**Defendants CIBC World Markets Inc. (Canada)**

DENTONS

Sandra D. Hauser  
Stephen J. Senderowitz  
Timothy J. Storino